

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
NORTHERN DIVISION

TOMMY'S CASTAIC, LLC, TOMMY'S §
CALIFORNIA VENTURA, LLC, §
LARSONS MARINE D/B/A TOMMY'S §
STOCKTON, LARSONS MARINE D/B/A §
TOMMY'S SACRAMENTO HIGH §
COUNTRY WATERSPORTS, LLC D/B/A §
TOMMY'S COLORADO, MKB FLORIDA §
HOLDINGS, LLC D/B/A TOMMY'S §
FLORIDA, TOMMY'S PHOENIX, LLC, §
TOMMY'S LAS VEGAS, LLC, TOMMY'S §
KNOXVILLE, LLC, WALLOON LAKE §
VILLAGE MARINA, LLC D/B/A TOMMY'S §
MICHIGAN, TOMMY'S CHATTANOOGA, §
LLC, TOMMY'S FORT WORTH, LLC, §
TOMMY'S LEWISVILLE, LLC, TOMMY'S §
DETROIT, LLC, TOMMY'S GRAND §
RAPIDS, LLC, §

Plaintiffs, §

v. §

MALIBU BOATS, INC., §
MALIBU BOATS, LLC, §

Defendants. §

CASE NO. 3:24-cv-166

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiffs Tommy's Castaic, LLC, *et al.*, by and through Mark E. Andrews, the Chapter 11 Trustee appointed in the Plaintiffs' jointly administered chapter 11 bankruptcy cases pending in the United States Bankruptcy Court for the Northern District of Texas, under Bankruptcy Case No. 24-90000-elm-11, hereby notify the Court and Defendants of the dismissal of this civil action without prejudice. Pursuant to

Rule 41(a)(1)(A)(i), no Defendant has filed either an answer or a motion for summary judgment.

Each party shall bear their own costs and fees incurred in connection with this action.

WHEREFORE, PREMISES CONSIDERED, Plaintiffs, by and through their Chapter 11 Trustee, respectfully request that the Court dismiss this case without prejudice.

Respectfully submitted,

NEAL & HARWELL, PLC

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CERTIFICATE OF SERVICE

I certify that on July 3, 2024, I electronically filed the foregoing with the Clerk of this Court by using the CM/ECF system, which will accomplish service through the Notice of Electronic Filing for parties and attorneys who are Filing Users.

/s/ Philip N. Elbert